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UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

|                          |   |                              |
|--------------------------|---|------------------------------|
| In re                    | : |                              |
| BROADWALL AMERICA, INC., | : |                              |
|                          | : |                              |
| Debtor.                  | : |                              |
| <hr/>                    |   |                              |
| In re                    | : |                              |
| BRAM WILL EL LLC,        | : |                              |
|                          | : |                              |
| Debtor.                  | : |                              |
| <hr/>                    |   |                              |
| In re                    | : |                              |
| WILLIAM MUSCHEL, LLC,    | : |                              |
|                          | : |                              |
| Debtor.                  | : |                              |
| <hr/>                    |   |                              |
| BROADWALL AMERICA, INC., | : | Adv. Pro. No. 06-01788 (JMP) |
|                          | : | Adv. Pro. No. 06-01789 (JMP) |
| Plaintiff,               | : | Adv. Pro. No. 06-01790 (JMP) |
| - against -              | : |                              |
| BRAM WILL EL LLC, and    | : |                              |
| WILLIAM MUSCHEL, LLC     | : |                              |
| Defendants.              | : |                              |
| <hr/>                    |   |                              |

**AARON MUSCHEL'S DESIGNATION  
OF ITEMS TO BE INCLUDED IN THE RECORD ON APPEAL  
AND STATEMENT OF ISSUES ON APPEAL PURSUANT  
TO FEDERAL RULE OF BANKRUPTCY PROCEDURE 8006**

AARON MUSCHEL, a party in interest in the above-captioned bankruptcy cases  
and adversary proceedings and the appellant (the “Appellant”) pursuant to a Notice of Appeal,

dated and filed December 13, 2010, by and through its undersigned counsel, hereby submits its designation of items to be included in the record on appeal and statement of issues with respect to its appeal under 28 U.S.C. § 158 from the “Order Approving Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code, Dismissing Bankruptcy Cases & Granting Related Relief,” signed on November 30, 2010 [Case No. 04-13810, Doc. #229; Case No. 05-10616, Doc. #137; Case No. 05-10617, Doc. #136; Adv. Pro. No. 06-01788, Doc. #64; Adv. Pro. No. 06-01789, Doc. #21; Adv. Pro. No. 06-01790, Doc. #21] (the “Order”) by this Court, Honorable James M. Peck, United States Bankruptcy Judge for the United States Bankruptcy Court for the Southern District of New York.

#### **I. DESIGNATION OF ITEMS FOR RECORD ON APPEAL**

Appellant hereby designates the following items, together with all exhibits, schedules and attachments thereto, to be included in the record of the appeal:

##### **A. From Case No. 04-13810 (JMP)**

| <b>DATE</b> | <b>DOCKET NO.</b> | <b>DOCKET DESCRIPTION</b>   |
|-------------|-------------------|---|
| 6/3/2004    | 9                 | Motion For an Order, Pursuant to 11 U.S.C. §§105(a) and 365(a), and Rule 6006 of the Federal Rules of Bankruptcy Procedures, (A) Authorizing Debtor to Assume an Executory Contract with Bram Will El LLC and William Muschel, LLC, (B) Directing an Immediate Closing Under the Executory Contract, and (C) Granting Other and Further Related Relief  |
| 6/11/2004   | 11                | Joinder of Arthur Shapolsky in Support of Debtor’s Motion For an Order, Pursuant to 11 U.S.C. §§105(a) and 365(a), and Rule 6006 of the Federal Rules of Bankruptcy Procedures, (A) Authorizing Debtor to Assume an Executory Contract with Bram Will El LLC and William Muschel, LLC, (B) Directing an Immediate Closing Under the Executory Contract, and (C) Granting Other and Further Related Relief |

| <b>DATE</b> | <b>DOCKET NO.</b> | <b>DOCKET DESCRIPTION</b>  |
|-------------|-------------------|--|
| 7/15/2004   | 23                | Bram Will LLC and William Muschel, LLC's Motion for an Order: (A) Abstaining from Adjudicating the Debtor's Motion Pursuant to 28 U.S.C. §1334(c)(1) Pending the State Court's Determination as to Whether the Real Estate Purchase Contract was Terminated Prior to the Chapter 11 Filing; and (B) Lifting Any Automatic Stay Pursuant to 11. U.S.C. §362(d)(1)   |
| 7/15/2004   | 24                | Bram Will LLC and William Muschel, LLC's Opposition to Debtor's Motion For an Order, Pursuant to 11 U.S.C. §§105(a) and 365(a), and Rule 6006 of the Federal Rules of Bankruptcy Procedures, (A) Authorizing Debtor to Assume an Executory Contract with Bram Will El LLC and William Muschel, LLC, (B) Directing an Immediate Closing Under the Executory Contract, and (C) Granting Other and Further Related Relief   |
| 8/20/2004   | 31                | Debtors Response: (A) In Further Support of Broadwall America, Inc.'s Motion for an Order (1) Authorizing Debtor to Assume an Executory Contract with Bram Will El LLC and William Muschel, LLC, (2) Directing an Immediate Closing Under the Executory Contract, and (3) Granting Other and Further Related Relief, and (B) In Opposition to Bram Will LLC and William Muschel, LLC's Motion for an Order: (1) Abstaining from Adjudicating the Debtor's Motion Pursuant to 28 U.S.C. §1334(c)(1); and (2) Lifting Any Automatic Stay Pursuant to 11. U.S.C. §362(d)(1) |
| 8/24/2004   | 32                | Joinder of Arthur Shapolsky in Support of Debtor's Opposition to the Motion of Bram Will El LLC and William Muschel, LLC For Abstention and Relief from the Automatic Stay   |
| 9/27/2004   | 36                | Brief in Further Support of Debtor's Motion To, Among Other Things, Assume an Executory Contract With Bram Will El LLC and William Muschel, LLC  |
| 9/28/2004   | 38                | Supplemental Opposition to Debtor's Motion For an Order Authorizing Debtor to Assume Contract With Bram Will El LLC and William Muschel, LLC   |
| 9/29/2004   | 39                | Order (1) Converting Debtor's Assumption Motion to be an Adversary Proceeding, (2) Denying Sellers' Motion for Abstention and Relief from the Automatic Stay, and (3) Granting Related Relief  |

| <b>DATE</b> | <b>DOCKET NO.</b> | <b>DOCKET DESCRIPTION</b>  |
|-------------|-------------------|--|
| 10/08/2004  | 42                | Reply in Further Support of Supplemental Opposition to Debtor's Motion For an Order Authorizing Debtor to Assume Contract With Bram Will El LLC and William Muschel, LLC |
| 10/08/2004  | 43                | Debtor's Reply Brief in Further Support of Debtor's Motion To, Among Other Things, Assume an Executory Contract With Bram Will El LLC and William Muschel, LLC           |
| 12/6/2004   | 65                | Order Granting Debtor's Motion to Assume Executory Contract and For Related Relief   |
| 1/20/2005   | 100               | Order Confirming Debtor's First Amended Plan of Reorganization   |
| 2/11/2005   | 118               | Bram Will LLC and William Muschel, LLC's Motion for Clarification  |
| 2/18/2005   | 128               | Reorganized Debtor's Opposition to Motion for "Clarification" by Bram Will LLC and William Muschel, LLC  |
| 2/18/2005   | 129               | Exhibits B-D for Reorganized Debtor's Opposition to Motion for "Clarification" by Bram Will LLC and William Muschel, LLC   |
| 2/18/2005   | 130               | Exhibits E-J for Reorganized Debtor's Opposition to Motion for "Clarification" by Bram Will LLC and William Muschel, LLC.  |
| 2/18/2005   | 131               | Exhibits K-P for Reorganized Debtor's Opposition to Motion for "Clarification" by Bram Will LLC and William Muschel, LLC.  |
| 2/18/2005   | 132               | Exhibits Q-T for Reorganized Debtor's Opposition to Motion for "Clarification" by Bram Will LLC and William Muschel, LLC.  |
| 2/18/2005   | 133               | Exhibits U-W for Reorganized Debtor's Opposition to Motion for "Clarification" by Bram Will LLC and William Muschel, LLC.  |
| 3/15/2005   | 145               | Order Denying Motion for "Clarification" by Bram Will LLC and William Muschel, LLC.  |

| <b>DATE</b> | <b>DOCKET NO.</b> | <b>DOCKET DESCRIPTION</b>  |
|-------------|-------------------|--|
| 3/23/2005   | 148               | Decision Regarding Debtor's Motion to Assume an Executory Contract, This Court's Declaratory Order Entered in the Adversary Proceeding, and Granting Other Related Relief  |
| 3/24/2005   | 149               | Errata Order Regarding Decision Regarding Debtor's Motion to Assume an Executory Contract, This Court's Declaratory Order Entered in the Adversary Proceeding, and Granting Other Related Relief   |
| 1/20/2006   | 162               | Motion by Broadwall America Inc. to Compel Debtors Bram Will El LLC and William Muschel, LLC to Comply with this Court's March 23, 2005 Order, and to Close Title Pursuant to a Contract to Sell Real Property Which They Have Been Specifically Ordered to Perform and, to the Extent Necessary, to Lift the Automatic Stay for this Purpose              |
| 5/05/2005   | 166               | Hearing Transcript from Hearing on 10/27/2004  |
| 2/13/2006   | 175               | Objection to Motion by Broadwall America Inc. to Compel Debtors Bram Will El LLC and William Muschel, LLC to Comply with this Court's March 23, 2005 Order, and to Close Title Pursuant to a Contract to Sell Real Property Which They Have Been Specifically Ordered to Perform and, to the Extent Necessary, to Lift the Automatic Stay for this Purpose |
| 2/14/2006   | 176               | Reply in Support of Broadwall's Motion to Compel Bram Will El LLC and William Muschel, LLC to Comply with this Court's March 23, 2005 Order, and to Close Title and, to the Extent Necessary, to Lift the Automatic Stay for this Purpose  |
| 3/16/2006   | 181               | Hearing Transcript from Hearing on 2/15/06   |
| 9/20/2010   | 215               | Joint Motion for Approval of Proposed Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code  |

| <b>DATE</b> | <b>DOCKET NO.</b> | <b>DOCKET DESCRIPTION</b>  |
|-------------|-------------------|--|
| 10/22/2010  | 221               | Objection and Request for Adjournment by Aaron Muschel to the Joint Motion for Approval of Proposed Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code    |
| 10/22/2010  | 223               | Reply of Broadwall America, Inc. in Support of Joint Motion for Approval of Proposed Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code                   |
| 10/25/2010  | 224               | Reply of Bram Will El LLC and William Muschel, LLC in Support of Joint Motion for Approval of Proposed Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code |
| 12/1/2010   | 229               | Order Approving Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code, Dismissing Bankruptcy Cases & Granting Related Relief                                 |
| 12/13/2010  | 231               | Notice of Appeal re: Order Approving Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code, Dismissing Bankruptcy Cases & Granting Related Relief            |
| --          | --                | Hearing Transcript for hearing on 11/2/10  |

**B. From Adv. Pro No. 04-04401 (JMP)**

| <b>DATE</b> | <b>DOCKET NO.</b> | <b>DOCKET DESCRIPTION</b>  |
|-------------|-------------------|--|
| 10/20/2004  | 1                 | Complaint against Bram Will El LLC and William Muschel, LLC                        |
| 10/26/2004  | 6                 | Answer to Complaint by Bram Will El LLC and William Muschel, LLC                   |
| 12/6/2004   | 8                 | Order Granting Debtor's Motion to Assume Executory Contract and For Related Relief |

| <b>DATE</b> | <b>DOCKET NO.</b> | <b>DOCKET DESCRIPTION</b>   |
|-------------|-------------------|---|
| 3/23/2005   | 18                | Decision Regarding Debtor's Motion to Assume an Executory Contract, This Court's Declaratory Order Entered in the Adversary Proceeding, and Granting Other Related Relief   |
| 3/24/2005   | 19                | Errata Order Regarding Decision Regarding Debtor's Motion to Assume an Executory Contract, This Court's Declaratory Order Entered in the Adversary Proceeding, and Granting Other Related Relief  |
| 1/20/2006   | 20                | Motion by Broadwall America Inc. to Compel Debtors Bram Will El LLC and William Muschel, LLC to Comply with this Court's March 23, 2005 Order, and to Close Title Pursuant to a Contract to Sell Real Property Which They Have Been Specifically Ordered to Perform and, to the Extent Necessary, to Lift the Automatic Stay for this Purpose |
| 2/14/2006   | 23                | Reply in Support of Broadwall's Motion to Compel Bram Will El LLC and William Muschel, LLC to Comply with this Court's March 23, 2005 Order, and to Close Title and, to the Extent Necessary, to Lift the Automatic Stay for this Purpose   |
| 12/1/2010   | 29                | Order Approving Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code, Dismissing Bankruptcy Cases & Granting Related Relief  |

C. From Case No. 05-10617 (JMP)

| <b>DATE</b> | <b>DOCKET NO.</b> | <b>DOCKET DESCRIPTION</b>  |
|-------------|-------------------|--|
| 3/3/2005    | 15                | Broadwall America Inc.'s Application to Modify Stay to Proceed with Adversary Proceeding and Request for Related Relief                      |
| 3/11/2005   | 16                | Debtor's Response to Broadwall America Inc.'s Application to Modify Stay to Proceed with Adversary Proceeding and Request for Related Relief |
| 12/27/2005  | 34                | Motion for Contempt  |
| 12/29/2005  | 36                | Exhibits to Motion for Contempt  |
| 1/6/2006    | 37                | Response of Broadwall America Inc. to Debtor's Motion for Contempt   |

| <b>DATE</b> | <b>DOCKET NO.</b> | <b>DOCKET DESCRIPTION</b>  |
|-------------|-------------------|--|
| 1/6/2006    | 38                | Exhibit 7 through 10 to Response of Broadwall America Inc. to Debtor's Motion for Contempt   |
| 1/20/2006   | 20                | Motion by Broadwall America Inc. to Compel Debtors Bram Will El LLC and William Muschel, LLC to Comply with this Court's March 23, 2005 Order, and to Close Title Pursuant to a Contract to Sell Real Property Which They Have Been Specifically Ordered to Perform and, to the Extent Necessary, to Lift the Automatic Stay for this Purpose              |
| 2/12/2006   | 46                | Objection to Motion by Broadwall America Inc. to Compel Debtors Bram Will El LLC and William Muschel, LLC to Comply with this Court's March 23, 2005 Order, and to Close Title Pursuant to a Contract to Sell Real Property Which They Have Been Specifically Ordered to Perform and, to the Extent Necessary, to Lift the Automatic Stay for this Purpose |
| 2/14/2006   | 47                | Reply in Support of Broadwall's Motion to Compel Bram Will El LLC and William Muschel, LLC to Comply with this Court's March 23, 2005 Order, and to Close Title and, to the Extent Necessary, to Lift the Automatic Stay for this Purpose  |
| 3/14/2007   | 80                | Letter to the Honorable James M. Peck  |
| 6/11/2010   | 116               | Motion to Dismiss Case   |
| 9/20/2010   | 124               | Joint Motion for Approval of Proposed Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code  |
| 10/22/2010  | 127               | Objection and Request for Adjournment by Aaron Muschel to the Joint Motion for Approval of Proposed Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code  |
| 10/22/2010  | 128               | Reply of Broadwall America, Inc. in Support of Joint Motion for Approval of Proposed Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code   |
| 10/25/2010  | 129               | Reply of Bram Will El LLC and William Muschel, LLC in Support of Joint Motion for Approval of Proposed   |

| <b>DATE</b> | <b>DOCKET NO.</b> | <b>DOCKET DESCRIPTION</b>   |
|-------------|-------------------|---|
|             |                   | Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code   |
| 12/1/2010   | 136               | Order Approving Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code, Dismissing Bankruptcy Cases & Granting Related Relief                      |
| 12/13/2010  | 138               | Notice of Appeal re: Order Approving Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code, Dismissing Bankruptcy Cases & Granting Related Relief |
| --          | --                | Hearing Transcript for hearing on 11/2/10   |

**C. From Case No. 05-10616 (JMP)**

| <b>DATE</b> | <b>DOCKET NO.</b> | <b>DOCKET DESCRIPTION</b>   |
|-------------|-------------------|---|
| 3/3/2005    | 9                 | Broadwall America Inc.'s Application to Modify Stay to Proceed with Adversary Proceeding and Request for Related Relief   |
| 3/11/2005   | 10                | Debtor's Response to Broadwall America Inc.'s Application to Modify Stay to Proceed with Adversary Proceeding and Request for Related Relief  |
| 12/27/2005  | 28                | Motion for Contempt   |
| 12/29/2005  | 30                | Exhibits to Motion for Contempt   |
| 1/6/2006    | 31                | Response of Broadwall America Inc. to Debtor's Motion for Contempt  |
| 1/6/2006    | 32                | Exhibit 7 through 10 to Response of Broadwall America Inc. to Debtor's Motion for Contempt  |
| 1/20/2006   | 35                | Motion by Broadwall America Inc. to Compel Debtors Bram Will El LLC and William Muschel, LLC to Comply with this Court's March 23, 2005 Order, and to Close Title Pursuant to a Contract to Sell Real Property Which They Have Been Specifically Ordered to Perform and, to the Extent Necessary, to Lift the Automatic Stay for this Purpose |

| <b>DATE</b> | <b>DOCKET NO.</b> | <b>DOCKET DESCRIPTION</b>  |
|-------------|-------------------|--|
| 2/12/2006   | 40                | Objection to Motion by Broadwall America Inc. to Compel Debtors Bram Will El LLC and William Muschel, LLC to Comply with this Court's March 23, 2005 Order, and to Close Title Pursuant to a Contract to Sell Real Property Which They Have Been Specifically Ordered to Perform and, to the Extent Necessary, to Lift the Automatic Stay for this Purpose |
| 2/14/2006   | 41                | Reply in Support of Broadwall's Motion to Compel Bram Will El LLC and William Muschel, LLC to Comply with this Court's March 23, 2005 Order, and to Close Title and, to the Extent Necessary, to Lift the Automatic Stay for this Purpose  |
| 3/14/2007   | 75                | Letter to the Honorable James M. Peck  |
| 6/11/2010   | 115               | Motion to Dismiss Case   |
| 9/20/2010   | 125               | Joint Motion for Approval of Proposed Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code  |
| 10/22/2010  | 128               | Objection and Request for Adjournment by Aaron Muschel to the Joint Motion for Approval of Proposed Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code  |
| 10/22/2010  | 129               | Reply of Broadwall America, Inc. in Support of Joint Motion for Approval of Proposed Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code   |
| 10/25/2010  | 130               | Reply of Bram Will El LLC and William Muschel, LLC in Support of Joint Motion for Approval of Proposed Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code   |
| 12/1/2010   | 137               | Order Approving Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code, Dismissing Bankruptcy Cases & Granting Related Relief   |
| 12/13/2010  | 139               | Notice of Appeal re: Order Approving Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of  |

| <b>DATE</b> | <b>DOCKET NO.</b> | <b>DOCKET DESCRIPTION</b>   |
|-------------|-------------------|---|
|             |                   | Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code, Dismissing Bankruptcy Cases & Granting Related Relief |
| --          | --                | Hearing Transcript for hearing on 11/2/10   |

**D. From Case No. 05-10617 (JMP)**

| <b>DATE</b> | <b>DOCKET NO.</b> | <b>DOCKET DESCRIPTION</b>   |
|-------------|-------------------|---|
| 3/3/2005    | 15                | Broadwall America Inc.'s Application to Modify Stay to Proceed with Adversary Proceeding and Request for Related Relief   |
| 3/11/2005   | 16                | Debtor's Response to Broadwall America Inc.'s Application to Modify Stay to Proceed with Adversary Proceeding and Request for Related Relief  |
| 12/27/2005  | 34                | Motion for Contempt   |
| 12/29/2005  | 36                | Exhibits to Motion for Contempt   |
| 1/6/2006    | 37                | Response of Broadwall America Inc. to Debtor's Motion for Contempt  |
| 1/6/2006    | 38                | Exhibit 7 through 10 to Response of Broadwall America Inc. to Debtor's Motion for Contempt  |
| 1/20/2006   | 20                | Motion by Broadwall America Inc. to Compel Debtors Bram Will El LLC and William Muschel, LLC to Comply with this Court's March 23, 2005 Order, and to Close Title Pursuant to a Contract to Sell Real Property Which They Have Been Specifically Ordered to |

| <b>DATE</b> | <b>DOCKET NO.</b> | <b>DOCKET DESCRIPTION</b>  |
|-------------|-------------------|--|
|             |                   | Perform and, to the Extent Necessary, to Lift the Automatic Stay for this Purpose  |
| 2/12/2006   | 46                | Objection to Motion by Broadwall America Inc. to Compel Debtors Bram Will El LLC and William Muschel, LLC to Comply with this Court's March 23, 2005 Order, and to Close Title Pursuant to a Contract to Sell Real Property Which They Have Been Specifically Ordered to Perform and, to the Extent Necessary, to Lift the Automatic Stay for this Purpose |
| 2/14/2006   | 47                | Reply in Support of Broadwall's Motion to Compel Bram Will El LLC and William Muschel, LLC to Comply with this Court's March 23, 2005 Order, and to Close Title and, to the Extent Necessary, to Lift the Automatic Stay for this Purpose  |
| 3/14/2007   | 80                | Letter to the Honorable James M. Peck  |
| 6/11/2010   | 116               | Motion to Dismiss Case   |
| 9/20/2010   | 124               | Joint Motion for Approval of Proposed Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code  |
| 10/22/2010  | 127               | Objection and Request for Adjournment by Aaron Muschel to the Joint Motion for Approval of Proposed  |

| <b>DATE</b> | <b>DOCKET NO.</b> | <b>DOCKET DESCRIPTION</b>  |
|-------------|-------------------|--|
|             |                   | Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code  |
| 10/22/2010  | 128               | Reply of Broadwall America, Inc. in Support of Joint Motion for Approval of Proposed Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code                   |
| 10/25/2010  | 129               | Reply of Bram Will El LLC and William Muschel, LLC in Support of Joint Motion for Approval of Proposed Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code |
| 12/1/2010   | 136               | Order Approving Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code, Dismissing Bankruptcy Cases & Granting Related Relief                                 |
| 12/13/2010  | 138               | Notice of Appeal re: Order Approving Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code, Dismissing Bankruptcy Cases & Granting Related                   |

| DATE | DOCKET NO. | DOCKET DESCRIPTION                        |
|------|------------|---|
|      |            | Relief                                    |
| --   | --         | Hearing Transcript for hearing on 11/2/10 |

**E. From Adv. Pro No. 06-01788 (JMP)**

| DATE       | DOCKET NO. | DOCKET DESCRIPTION  |
|------------|------------|---|
| 10/10/2006 | 1          | Complaint against Bram Will El LLC and William Muschel, LLC   |
| 10/10/2006 | 2          | Application for and Affidavit in Support of Motion for a Preliminary Injunction and Temporary Restraining Order   |
| 10/10/2006 | 3          | Affidavit In Support of Motion for a Preliminary Injunction and Temporary Restraining Order   |
| 2/1/2007   | 11         | Answer to Complaint by Bram Will El LLC and William Muschel, LLC  |
| 3/14/2007  | 15         | Letter to the Honorable James M. Peck   |
| 4/27/2007  | 19         | Motion to Amend Answer  |
| 5/11/2007  | 20         | Affidavit of Jeffrey A. Miller in Opposition to Sellers' Motion to Amend Their Answer   |
| 5/11/2007  | 21         | Affidavit of Gary Barnett in Opposition to Sellers' Motion to Amend Their Answer  |
| 5/11/2007  | 22         | Broadwall's Memorandum of Law in Opposition to Sellers' Motion to Amend   |
| 5/14/2007  | 24         | Defendant's Response to Plaintiff's Opposition to the Motion to Amend the Answer & In Further Support of the Motion to Amend the Answer                                     |
| 5/18/2007  | 25         | Amended Answer to Complaint by Bram Will El LLC and William Muschel, LLC  |
| 5/29/2007  | 26         | Order Authorizing Defendant's to Amend Answer   |
| 7/05/2007  | 34         | Hearing Transcript of Hearing held on 5/16/07   |
| 9/20/2010  | 54         | Joint Motion for Approval of Proposed Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code |
| 10/22/2010 | 57         | Objection and Request for Adjournment by Aaron  |

| <b>DATE</b> | <b>DOCKET NO.</b> | <b>DOCKET DESCRIPTION</b>  |
|-------------|-------------------|--|
|             |                   | Muschel to the Joint Motion for Approval of Proposed Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code   |
| 10/22/2010  | 58                | Reply of Broadwall America, Inc. in Support of Joint Motion for Approval of Proposed Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code                   |
| 10/25/2010  | 59                | Reply of Bram Will El LLC and William Muschel, LLC in Support of Joint Motion for Approval of Proposed Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code |
| 11/30/2010  | 64                | Order Approving Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code, Dismissing Bankruptcy Cases & Granting Related Relief                                 |
| 12/13/2010  | 65                | Notice of Appeal re: Order Approving Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code, Dismissing Bankruptcy Cases & Granting Related Relief            |
| --          | --                | Hearing Transcript for hearing on 11/2/10  |

**F. From Adv. Pro No. 06-01789 (JMP)**

| <b>DATE</b> | <b>DOCKET NO.</b> | <b>DOCKET DESCRIPTION</b>   |
|-------------|-------------------|---|
| 11/30/2010  | 21                | Order Approving Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code, Dismissing Bankruptcy Cases & Granting Related Relief                      |
| 12/13/2010  | 22                | Notice of Appeal re: Order Approving Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code, Dismissing Bankruptcy Cases & Granting Related Relief |
| --          | --                | Hearing Transcript for hearing on 11/2/10   |

**G. From Adv. Pro No. 06-01780 (JMP)**

| <b>DATE</b> | <b>DOCKET NO.</b> | <b>DOCKET DESCRIPTION</b>   |
|-------------|-------------------|---|
| 11/30/2010  | 21                | Order Approving Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code, Dismissing Bankruptcy Cases & Granting Related Relief                      |
| 12/13/2010  | 22                | Notice of Appeal re: Order Approving Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code, Dismissing Bankruptcy Cases & Granting Related Relief |
| --          | --                | Hearing Transcript for hearing on 11/2/10   |

**II. STATEMENT OF ISSUES TO BE PRESENTED ON APPEAL**

1. Whether the Bankruptcy Court erred in approving the stipulation of settlement in the absence of an adequate record and/or without determining whether the settlement was “fair and equitable” or “in the best interest of the estates” pursuant to Rule 9019 of the Federal Rules of Bankruptcy Procedure?
2. Whether the Bankruptcy Court erred in concluding that William Muschel, LLC and Bram Will El LLC had authority to enter into the stipulation approved by the Bankruptcy Court?
3. Whether the Bankruptcy Court erred in dismissing the bankruptcy cases pursuant to 11 U.S.C. § 1112 in the absence of an adequate record and/or without identifying any appropriate “cause” for dismissal, or alternatively, based upon a previously filed motion to dismiss that did not identify sufficient “cause” to dismiss due to factual circumstances described therein being no longer applicable at the time of the dismissal?
4. Whether the Bankruptcy Court erred in concluding that it had jurisdiction to approve a post-dismissal sale of assets pursuant to 11 U.S.C. § 363?
5. Whether the Bankruptcy Court erred in granting relief beyond and/or extraneous to dismissal of the bankruptcy cases, including approving the post-dismissal sale of assets without an appropriate sale procedure pursuant to 11 U.S.C. §363?

Dated: New York, New York  
December 27, 2010

Respectfully submitted,

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